

NEW JERSEY SPORTS AND EXPOSITION AUTHORITY
CODE OF ETHICS

Pursuant to authority contained in the New Jersey Conflicts of Interest Law (Ch. 182 of the Laws of 1977, as amended by Ch. 432 of the Laws of 1988), the New Jersey Sports and Exposition Authority, on September 16, 1988, adopted for its members and employees the following Code of Ethics, which amends and supersedes in its entirety the Code of Ethics previously adopted by the Authority on June 9, 1977.

1. As used in this Code, the following terms shall have the following meaning:

- (a) "Authority" means the New Jersey Sports and Exposition Authority as that term is defined under the enabling legislation. N.J.S.A. 5:10-5 et seq.
- (b) "Member" means any of the members, including ex officio members, of the Authority as defined in N.J.S.A. 5:10-1 et seq.
- (c) "Employee" means those salaried persons employed by the Authority in a traditional employer-employee relationship, as well as certain per diem employees as determined by the Authority.
- (d) "Special State officer or employee" means (1) any person holding an office or employment in a State agency, excluding an interstate agency, for which office or employment no compensation is authorized or provided by law, or not compensation other than a sum in reimbursement expenses, whether payable per diem or per annum, is authorized or provided by law, (2) any person, not a member of the Legislature, holding a part-time elective or appointive office or employment in a State agency, excluding an interstate agency, or (3) any person appointed as a New Jersey member to an interstate agency the duties of which membership are not full-time, and shall include, but not be limited to, all members of the Authority, including ex-officio members, but not including the President and Chief Executive Officer of the Authority, who is a State officer and employee.
- (e) "State officer or employee" means any person, other than a Special State officer or employee holding an office or employment in a State agency and shall include, but not be limited to, all employees of the Authority and its President and Chief Executive Officer.
- (f) "Person" means any natural person, association, partnership or corporation.

- (g) "Interest" means (1) the ownership or control of more than 10% of the profits or assets of a firm, association, or partnership, or more than 10% of the stock in a corporation for profit other than a professional service corporation organized under the "Professional Service Corporation Act," P.L. 1969, c. 232 (C.14A-17-1 et seq.); or (2) the ownership or control of more than 1% of the profits of a firm, association or partnership, or more than 1% of the stock in any corporation, which is the holder of, or an applicant for, a casino license or in any holding or intermediary company with respect thereto, as defined by the "Casino Control Act," P.L. 1977, c. 110 (C. 5:12-1 et seq.). The provisions of this act governing the conduct of individuals are applicable to shareholders, associates or professional employees of a professional service corporation regardless of the extent or amount of their shareholder interest in such a corporation.
- (h) "Cause, proceeding, application or other matter" means a specific cause, proceeding or matter and does not mean or include determinations of general applicability for the preparation or review of legislation which is no longer pending before the Legislature or the Governor.
- (i) "Member of the immediate family" of any person means the person's spouse, child, parent or sibling residing in the same household.

2. Whenever possible, this Code of Ethics shall be applied and interpreted in a manner consistent with common practice in the sports and entertainment industry.

3. All members and employees of the Authority, and other persons subject to the provisions of this Code of Ethics, shall be governed by the following general standards:

- (a) No member or employee shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest. (See N.J.S.A. 52:13D-23(e)(1)).
- (b) No member or employee shall engage in any particular business, profession, trade or occupation which is subject to licensing or regulations by a specific agency of State Government without promptly filing notice of such activity with the Executive Commission on Ethical Standards. (See N.J.S.A. 52:13D-(e)(2)).

- (c) No member or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others. (See N.J.S.A. 52:13D-23(e)(3)).
- (d) No member or employee shall act in his official capacity in any matter wherein he has a direct or indirect personal financial interest that might reasonably be expected to impair his objectivity or independence of judgment. (See N.J.S.A. 52:13D-23(e)(4)).
- (e) No member or employee shall undertake any employment or service, whether compensated or not, which might reasonably be expected to impair his objectivity and independence of judgment in the exercise of his official duties. (See N.J.S.A. 52:13D-23 (e)(5)).
- (f) No member or employee shall accept any gift, favor, service or other thing of value under circumstances from which it might be reasonably inferred that such gift, service or other thing of value was given or offered for the purpose of influencing him in the discharge of his official duties. (See N.J.S.A. 52:13D-23(e)(6)).
- (g) No member or employee shall knowingly act in any way that might reasonably be expected to create an impression or suspicion among the public having knowledge of his acts that he may be engaged in conduct violative of his trust as a State officer or employee or special State officer or employee. (See N.J.S.A. 52:13D-23(e)(7)).

4. No member or employee shall accept from any person, whether directly or indirectly and whether by himself or through his spouse or any member of his family or through any partner or associate, any gift, favor, service, employment or offer of employment or any other thing of value which he knows or has reason to believe is offered to him with intent to influence him in the performance of his public duties and responsibilities. This section shall not apply to the acceptance of contributions to the campaign of an announced candidate for public office. (See N.J.S.A. 52:13D-14)

5. No member or employee shall represent, appear for, or negotiate on behalf of, or agree to represent, appear for, or negotiate on behalf of, whether by himself or by or through any partnership, firm or corporation in which he has an interest or by any partner, officer or employee of any such partnership, firm or corporation, any person or party other than the Authority in any negotiations for the acquisition or sale by the Authority of any interest in real or tangible or intangible personal property, or in any proceedings relative to such acquisition or sale before a condemnation commission or court; provided, however, nothing contained in this section shall be deemed to prohibit any person from representing himself in negotiations or proceedings concerning his own interest in real property. (See N.J.S.A. 52:13D-15)

6. No special State officer or employee (including all of the members of the Authority other than its President and Chief Executive Officer who is governed by the provision of Section 7 below), nor any partnership, firm or corporation in which he has an interest, nor any partner, officer or employee of any such partnership, firm or corporation, shall represent, appear for, or negotiate on behalf of, or agree to represent, appear for or negotiate on behalf of, any person or party other than the State in connection with any cause, proceeding, application or other matter pending before the Authority. (See N.J.S.A. 52:13D-16(a))

7. No State officer or employee (including the President and Chief Executive Officer of the Authority and all other salaried employees employed by the Authority as defined in Section 1(c) above) nor any partnership, firm or corporation in which he has an interest, nor any partner, officer or employee of any such partnership, firm or corporation, shall represent, appear for, or negotiate on behalf of, or agree to represent, appear for, or negotiate on behalf of, any person or party other than the State in connection with any cause, proceeding, application or other matter pending before any State agency. This section shall not be deemed to prohibit any partnership, firm or corporation in which any such person has an interest from appearing on its own behalf before any State agency. (See N.J.S.A. 52:13D-16(b), (c))

8. Nothing contained in section 6 or 7 hereof shall be deemed to prohibit any member or employee from representing, appearing for or negotiating on behalf of, or agreeing to represent, appear for, or negotiate on behalf of, any person or party other than the State in connection with any proceeding:

(1) Pending before any court of record of this State,

- (2) In regard to a claim for compensation arising under chapter 15 of Title 34 of the Revised Statutes (Worker's Compensation),
- (3) In connection with the determination or review of transfer inheritance or estate taxes,
- (4) In connection with the filing of corporate or other documents in the office of the Secretary of State,
- (5) Before the Division on Civil Rights or any successor thereof,
- (6) Before the New Jersey State Board of Mediation or any successor thereof,
- (7) Before the New Jersey Public Employment Relations Commission or any successor thereof,
- (8) Before the Unsatisfied Claim and Judgment Fund Board or any successor thereof solely for the purpose of filing a notice of intention pursuant to P.L. 1952, c. 174, subsection 5 (C. 39:6-65), or
- (9) Before any State agency on behalf of a county, municipality or school district, or any authority, agency or commission of any thereof except where the State is an adverse party in the proceeding and provided he is not holding any office or employment in the State agency in which any such proceeding is pending. (See N.J.S.A. 52:13D-16(c)).

9. No member or employee, subsequent to the termination of or employment with the Authority, shall represent, appear for, negotiate on behalf of, or provide information not generally available to members of the public or services to, or agree to represent, appear for, negotiate on behalf of, or provide information not generally available to members of the public or services to, whether by himself or through any partnership, firm or corporation in which he has an interest or through any partner, officer or employee thereof, any person or party other than the Authority in connection with any cause, proceeding or application or other matter with respect to which such member or employee shall have made any investigation, rendered any ruling, given any opinion, or been otherwise substantially and directly involved at any time during the course of his office or employment. Pursuant to N.J.S.A. 52:13D-17, any person who willfully violates the provisions of this section of this Code is a disorderly person and shall be subject to a fine not to exceed \$500.00 or imprisonment not to exceed 6 months or both. (See N.J.S.A. 52:13D-17)

10. (a) No State Officer or employee shall knowingly himself, or by his partners or through any corporation which he controls or in which he owns or controls more than one percent (1%) of the stock, or by any other person for his use or benefit or on his account, undertake or execute, in whole or in part, any contract, agreement, sale or purchase of the value of \$25.00 or more, made, entered into, awarded or granted by any State agency, except as provided in subsection (c) of this section. (See N.J.S.A. 52:13D-19(a))

(b) No Special State officer or employee having any duties or responsibilities in connection with the purchase or acquisition of property or services by the Authority shall knowingly himself, by his partners or through any corporation which he controls or in which he owns or controls more than one percent (1%) of the stock, or by any other person for his use or benefit or on his account, undertake or execute, in whole or in part, any contract, agreement, sale or purchase of the value of \$25.00 or more, made, entered into, awarded or granted by the Authority except as provided in subsection (c) of this section.
(See N.J.S.A. 52:13D-19(a))

(c) The provisions of subsections (a) and (b) of this section shall not apply to

(a) purchases, contracts, agreements or sales which (1) are made or let after public notice and competitive bidding or which (2), pursuant to section 5 of chapter 48 of the Laws of 1944 (Ch. 52:34-10) or such other similar provisions contained in the public bidding laws or regulations applicable to the Authority, may be made, negotiated or awarded without public advertising or bids, or

(b) any contract or insurance entered into by the Director of the Division of Purchase and Property pursuant to section 10 of article 6 of chapter 112 of the Laws of 1944 (Ch. 52:27B-62), if such purchases, contracts or agreements, including change orders and amendments thereto, shall receive prior approval of the Executive Commission on Ethical Standards if the member or employee has an interest therein. (See N.J.S.A. 52:13D-19 (b))

11. No member or employee shall act as officer or agent for the Authority for the transaction of any business with himself or with a corporation, company, association or firm in the

pecuniary profits of which he has an interest (except that ownership¹ or control of ten percent (10%) or less of the stock of a corporation shall not be deemed an interest within the meaning of this section. (See N.J.S.A. 52:13D-20)

12. No member or employee shall solicit, receive or agree to receive, whether directly or indirectly, any compensation, reward, employment, gift or other thing of value from any source other than the Authority or the State of New Jersey for any service, advice, assistance or other matter related to his official duties except reasonable fees for speeches or published works on matters within his official duties and except, in connection therewith, reimbursement of actual expenditures for travel and reasonable subsistence for which no payment or reimbursement is made by the Authority or the State of New Jersey. This section shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office. (See N.J.S.A. 52:13D-24)

13. No member or employee shall receive travel and subsistence expenses from people, organizations or corporations doing business with the Authority.

14. No member or employee shall willfully disclose to any person, whether or not for pecuniary gain, any information not generally available to members of the public which he receives or acquires in the course of and by reason of his official duties. No member or employee shall use for the purpose of pecuniary gain, whether directly or indirectly, any information not generally available to members of the public which he receives or acquires in the course of and by reason of his official duties. (See N.J.S.A. 52:13D-25)
